



Order Filed on November 13, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

DENISE CARLON, ESQUIRE
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Attorneys for Secured Creditor
Toyota Motor Credit Corporation

In Re:

Jesse Diaz,

Debtor.

Case No.: 17-23199-RG

Adv. No.:

Hearing Date: 11/1/2017 @ 9:00 a.m.

Judge: Rosemary Gambardella

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED

DATED: November 13, 2017

A handwritten signature in cursive script that reads "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

Page 2

Debtor:

Jesse Diaz

Case No.:

17-23199-RG

Caption:

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Toyota Motor Credit Corporation, holder of a lien on a vehicle known as 2014 Toyota Prius, VIN# JTDKDTB37E1067699, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Robert Wachtel, Esquire, attorney for Debtor, Jesse Diaz, and for good cause having been shown;

It is **ORDERED, ADJUDGED and DECREED** that Secured Creditor's claim shall be treated outside the plan and the pre-petition arrears will not be paid through the plan; and

It is further **ORDERED, ADJUDGED and DECREED** that post-petition payments can be applied to the pre-petition payments due; and

It is further **ORDERED, ADJUDGED and DECREED** that said application of payments will not be deemed a violation of the automatic stay; and

It is further **ORDERED, ADJUDGED and DECREED** that failure of the Debtor to remit timely payments per the terms of the financing agreement, including pre-petition payments due, shall be grounds for a motion for relief from stay; and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor shall make regular monthly payments outside the plan as they become due; and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor shall maintain insurance on the subject vehicle; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Jesse Diaz
Debtor

Case No. 17-23199-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Nov 14, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 16, 2017.

db +Jesse Diaz, 30 Linn-Smith Road, Augusta, NJ 07822-2000

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 16, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 14, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Marie-Ann Greenberg magecf@magtrustee.com
Miriam Rosenblatt on behalf of Creditor Deutsche Bank National Trust Company
bkyecf@rasflaw.com, mrosenblatt@rasflaw.com
Ronald I. LeVine on behalf of Debtor Jesse Diaz ronlevinelawfirm@gmail.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5